

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAMES D. RAND,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social
Security,

Defendant.

No. CV-09-00028-CI

ORDER GRANTING STIPULATED
MOTION TO REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C.
§ 405(g)

BEFORE THE COURT is the parties' Stipulated Motion to Remand the captioned matter to the Commissioner for additional administrative proceedings. (Ct. Rec. 22.) The parties have consented to proceed before a magistrate judge. (Ct. Rec. 8.) After considering the stipulation of the parties,

IT IS ORDERED:

1. The parties' Stipulated Motion to Remand (**Ct. Rec. 22**) is **GRANTED**. The captioned case **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) will further address the medical record, and particularly the opinions of Jay M. Toews, Ed.D., and Dennis R. Pollack, Ph.D. The ALJ will reconsider the

1 claimant's credibility and residual functional capacity. If
2 warranted, the ALJ should obtain supplemental medical expert
3 evidence. Supplemental vocational expert evidence should be
4 arranged, if appropriate.

5 2. Judgment shall be entered for the **PLAINTIFF**.

6 3. Plaintiff's Motion for Summary Judgment (**Ct. Rec. 17**) is
7 dismissed as moot.

8 4. An application for attorney fees may be filed by separate
9 motion.

10 The District Court Executive is directed to enter this Order,
11 forward copies to counsel, and thereafter shall close this file.

12 DATED October 5, 2009.

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14 S/ CYNTHIA IMBROGNO
15 UNITED STATES MAGISTRATE JUDGE
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